

CSD 1183 [07/01/18]

Name, Address, Telephone No. & I.D. No.

Abigail V. O'Brient (SBN 265704)

Andrew B. Levin (SBN 290209)

Mintz Levin Cohn Ferris Glovsky and Popeo, P.C.

3580 Carmel Mountain Road, Suite 300

San Diego, CA 92130

858-314-1500

858-314-1501

UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA

325 West F Street, San Diego, California 92101-6991

In Re

LIVE OAK HOLDING, LLC,

BANKRUPTCY NO. 13-11672-LT11

Tax I.D.(EIN)#: _____/S.S.#:XXX-XX- _____

Debtor.

NOTICE OF HEARING AND MOTION

TO: Nazar Najor; G10 Galuppo Law, a Professional Law Corporation; Louis Galuppo, Esq.; Daniel Watts, Esq.; Dominick Severance, Esq.; the Law Office of Christine E. Baur; Christine E. Baur, Esq.; the Office of the United States Trustee; the Debtor's Twenty Largest Creditors; and all parties requesting special notice:

You are hereby notified that on December 5, 2019, at 3:00 p.m. in Department 3, Room 129 of the Jacob Weinberger United States Courthouse, located at 325 West F Street, San Diego, California 92101-6991, there will be a hearing regarding the motion of Richard M Kipperman, chapter 11 trustee (the "Trustee"), Movant, for (1) An order compelling Nazar Najor to withdraw his Motion for an Order to Show Cause Re: Contempt for Violation of the Court's Peremptory Writ of Mandate (the "State Court Motion"), which was filed on or about October 16, 2019 in Live Oak Holding Company, LLC, et al. v. Board of Supervisors of the County of San Diego, et al., case number 37-2011-00100974 pending the Superior Court of the State of California for the County of San Diego; and (2) Imposing sanctions on Nazar Najor; G10 Galuppo Law, a Professional Law Corporation (and/or Louis Galuppo, Esq., Daniel Watts, Esq., and Dominick Severance, Esq.); and the Law Office of Christine E. Baur and/or Christine E. Baur, Esq. in an amount equal to the amount of attorneys' fees and costs incurred by the Trustee as a result of the filing of the State Court Motion.

Any opposition or other response to this motion must be served upon the undersigned and the original and one copy of such papers with proof of service must be filed with the Clerk of the U.S. Bankruptcy Court at 325 West F Street, San Diego, California 92101-6991, **not later than fourteen (14)¹ days from the date of service.**

DATED: November 7, 2019

/s/ Abigail V. O'Brient

[Attorney for] Moving Party

Richard M Kipperman, chapter 11 trustee

¹ Depending on how you were served, you may have additional time for response. See FRBP 9006.

CERTIFICATE OF SERVICE

I, the undersigned whose address appears below, certify:

That I am, and at all relevant times was, more than 18 years of age;

That on 7th day of November, 2019, I served a true copy of the within NOTICE OF MOTION AND HEARING, together with the following pleadings [describe any other papers] on the following persons listed below by the mode of service shown below:

List additional papers:

1. To Be Served by the Court via Notice of Electronic Filing ("NEF"):

Under controlling Local Bankruptcy Rules(s) ("LBR"), the document(s) listed above will be served by the court via NEF and hyperlink to the document. On November 7, 2019, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the e-mail address(es) indicated and/or as checked below:

SEE ATTACHED SERVICE LIST

☐ Attorney for Debtor (or Debtor), if required:

☐ Chapter 7 Trustee:

<input type="checkbox"/> For Chpt. 7, 11, & 12 cases:	<input type="checkbox"/> For ODD numbered Chapter 13 cases:	<input type="checkbox"/> For EVEN numbered Chapter 13 cases:
UNITED STATES TRUSTEE ustp.region15@usdoj.gov	THOMAS H. BILLINGSLEA, JR., TRUSTEE Billingslea@thb.coxatwork.com	DAVID L. SKELTON, TRUSTEE admin@ch13.sdcoxmail.com dskelton13@ecf.epiqsystems.com

2. Served by United States Mail:

On November 7, 2019, I served the following person(s) and/or entity(ies) at the last known address(es) in this bankruptcy case or adversary proceeding by placing accurate copies in a sealed envelope in the United States Mail via 1) first class, postage prepaid or 2) certified mail with receipt number, addressed as follows:

SEE ATTACHED SERVICE LIST

☐ Attorney for Debtor (or Debtor), if required:

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3. **Served by Personal Delivery, Facsimile Transmission, Overnight Delivery, or Electronic Mail:**

Under Fed.R.Civ.P.5 and controlling LBR, on November 7, 2019, I served the following person(s) and/or entity(ies) by personal delivery, or (for those who consented in writing to such service method), by facsimile transmission, by overnight delivery and/or electronic mail as follows:

SEE ATTACHED SERVICE LIST

☐ Attorney for Debtor (or Debtor), if required:

I declare under penalty of perjury under the laws of the United States of America that the statements made in this proof of service are true and correct.

Executed on November 7, 2019
(Date)

/s/ Diane Hashimoto
(Typed Name and Signature)

2029 Century Park East, Suite 3100
(Address)

Los Angeles, CA 90067
(City, State, ZIP Code)

SERVICE LIST

VIA NEF

13-11672-LT11 Notice will be electronically mailed to:

Christine E. Baur on behalf of Interested Party Nazar Najor
christine@baurbklaw.com, admin@baurbklaw.com

Joseph R. Dunn on behalf of Trustee Richard M Kipperman
jrdunn@mintz.com, tlmayo@mintz.com; aobrient@mintz.com; docketing@mintz.com

Todd S. Garan on behalf of Creditor U.S. Bank National Association, as Trustee for HarborView Mortgage Loan Trust 2005-12
ch11ecf@aldridgepите.com, tgaran@aldridgepите.com; TSG@ecf.courtdrive.com

Christopher Green on behalf of Trustee Richard M Kipperman
chrisgreenucla@gmail.com, chrisgreenucla@gmail.com

Richard M Kipperman
teresaj@corpmgt.com, ca82@ecfcbis.com

Leslie Klott on behalf of Creditor Ocwen Loan Servicing, LLC
bankruptcy@zievelaw.com

Andrew Levin on behalf of Trustee Richard M Kipperman
ablevin@mintz.com, docketing@mintz.com

Rodney Lorang on behalf of Interested Party County of San Diego, Department of Environmental Health
rodney.lorang@sdcounty.ca.gov; salfaro@sdcounty.ca.gov

Kristin Mihelic on behalf of United States Trustee United States Trustee
Kristin.T.Mihelic@usdoj.gov, tiffany.l.carroll@usdoj.gov, Elizabeth.c.amorosi@usdoj.gov

Abigail O'Brien on behalf of Trustee Richard M Kipperman
aobrient@mintz.com, docketing@mintz.com; DEHashimoto@mintz.com; ABLevin@mintz.com;
GJLeon@mintz.com

Susan C. Stevenson on behalf of Creditor The Watkins Firm
sstevenson@psdslaw.com, bonniec@psdslaw.com

United States Trustee
ustp.region15@usdoj.gov

Dennis J. Wickham on behalf of Creditor City National Bank
wickham@scmv.com, nazari@scmv.com

Jennifer C. Wong on behalf of Creditor U.S. Bank National Association, as Trustee for HarborView Mortgage Loan Trust 2005-12
bknotice@mccarthyholthus.com, jwong@ecf.courtdrive.com

Kristin A. Zilberstein on behalf of Creditor CitiMortgage, Inc.
bknotifications@ghidottiberger.com; gbadmın@ecf.courtdrive.com

VIA EMAIL

Christofer Nolan
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
Email: Christofer.Nolan@cpuc.ca.gov

Kimberly M. Niemeyer
State Water Resources Control Board
California Division of Drinking Water
1001 I St.
Sacramento, CA 95814
Email: Kim.Niemeyer@waterboards.ca.gov

VIA FEDERAL EXPRESS

San Diego County Tax Collector
Attn: Bankruptcy
1600 Pacific Highway, Room 162
San Diego, CA 92101-2477

Louis Galuppo
Daniel Watts
Dominick Severance
G10 Galuppo Law
A Professional Law Corporation
2792 Gateway Road, Suite 102
Carlsbad, California 92009

Nazar Najor
37715 Royal Oak Place
Boulevard, CA 91905

Christine E. Baur
Law Office of Christine E. Baur
4653 Carmel Mountain Road, Suite 308 #332
San Diego, CA 92130

LIVE OAK 13-11672

SERVICE LIST
VIA U.S. MAIL

Nazar Najor
P.O. Box 1321
Boulevard, CA 91905

American Express
PO Box 0001
Los Angeles, CA 90096-8000

Baker Corporation
1726 Don Lee Place
Escondido, CA 92029-1136\

California Public Utilities
Commission/Attn. C. Reyes
505 Van Ness Avenue, Room 3000
San Francisco, CA 94102

Cate Legal Group
7710 Balboa Avenue #316
San Diego, CA 92111-2254

City National Bank
937 Lomas Santa Fe Drive
Solana Beach, CA 92075

Clairemont Equipment
7651 Ronson Road
San Diego, CA 92111

County of San Diego
Environmental Health
PO Box 129261
San Diego, CA 92112-9261

Dudek
Engineering & Environmental
605 Third Street
Encinitas, CA 92024

Franchise Tax Board
State of California
PO Box 942857
Sacramento, CA 94257-0531

Frank B & Associates
134 Davis Street
Santa Paula, CA 93060

Home Depot
PO Box 183175
Columbus, OH 43218-3175

Home Depot
PO Box 182676
Columbus, OH 43218-2676

Internal Revenue Service
PO Box 37900
Hartford, CT 06176-7900

Lowe's Business/GECRB
PO Box 530970
Atlanta, GA 30353-0970

Lowe's/GECRB
PO Box 530914
Atlanta, GA 30353-0914

Rocky Vandergriff
PO Box 815
Seeley, CA 92273

US Bank Credit
2955 Alpine Blvd.
Alpine, CA 91901

Watkins Firm
4275 Executive Square #1020
La Jolla, CA 92037

Wells Fargo
PO Box 54349
Los Angeles, CA 90054